

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GARY DALE BARGER,
aka GARY FISHER,

Petitioner,

v.

ARRESTING BAKERSFIELD P.D., et al.,

Respondents.

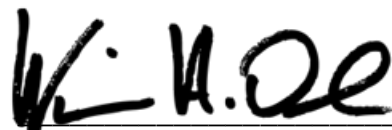
Case No. [15-cv-00766-WHO](#) (PR)

ORDER OF DISMISSAL

Petitioner Gary Dale Barger has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$5.00. His IFP application lacks two necessary documents: a Certificate of Funds completed and signed by an authorized prison officer, and a prison trust account statement showing transactions for the last six months. Accordingly, this federal habeas action is **DISMISSED** without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Barger may move to reopen the action. Any such motion **must** contain a complete IFP application, which includes the two documents mentioned above, **or** full payment for the \$5.00 filing fee. Barger's IFP application (Docket No. 2) is **DENIED** as insufficient. The Clerk shall terminate Docket No. 2, enter judgment in favor of respondents, and close the file.

IT IS SO ORDERED.

Dated: April 8, 2015



WILLIAM H. ORRICK
United States District Judge